IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 7341 of 2005(Y)

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PETITIONER:

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DEVAKI, AGED 74 YEARS,
W/O.ARAKKATHI MADHAVAN, PULLUR VILLAGE,
MUKUNDAPURAM TALUK, TRICHUR.

BY ADV. SRI.L.P.ARAVINDAKSHAN
SMT.S.SREEDEVI(ALP)
SRI.SREEKANTH. V.M.

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY SECRETARY, MINISTRY OF LAW, TRIVANDRUM.

2. STATE BANK OF INDIA, REP. BY
BRANCH MANAGER, IRINJALAKUDA.

3. RAVINDRAN, AGED ABOUT 48 YEARS,
S/O.ARAKKATHI MADHAVAN, PULUR VILLAGE,
MUKUNDAPURAM TALUK,TRICHUR.

4. RAMANI, AGED ABOUT 52 YEARS,
D/O.ARAKKATHI MADHAVAN, PULUR VILLAGE,
MUKUNDAPURAM TALUK TRICHUR.

5. INDIRA, AGED ABOUT 42 YEARS,
D/O.ARAKKATHI MADHAVAN, PULLUR VILLAGE,
MUKUNDAPURAM TALUK,TRICHUR.

6. REMA, AGED ABOUT 36 YEARS,
D/O.ARAKKATHI MADHAVAN, PULLUR VILLAGE,
MUKUNDAPURAM TALUK, TRICHUR.

7. RAGHU, AGED ABOUT 39 YEARS,
S/O.ARAKKATHI MADHAVAN, PULLUR VILLAGE,
MUKUNDAPURAM TALUK, TRICHUR.

8. THARA, AGED ABOUT 33 YEARS,
D/O.ARAKKATHI MADHAVAN, PULLUR VILLAGE,
MUKUNDAPURAM TALUK, TRICHUR.

R2 BY ADV. SRI.K.K.CHANDRAN PILLAI
SRI.SUDHEESH.A.

R1 BY GOVT.PLEADER SRI.SHYSON P.MANGUZHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR FINAL HEARING ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**PIUS C. KURIAKOSE, J.**

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W.P.(C)No.7341 OF 2005

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DATED THIS THE 25th JULY, 2007

**J U D G M E N T**

Process is not remitted so far, though notice was ordered as early as on 3.3.2005.

2. Counsel for the 2nd respondent-bank submits that the petitioner has not complied with the direction of this Court that a sum of Rs.30,000/- shall be paid towards the decree-debt within six weeks from 3.3.2005. There is no representation for the petitioner. I am of the view that a person who obtains interim reliefs by suffering conditions and fails to comply with the conditions is not entitled for final reliefs. However, since the petitioner is absent, the Writ Petition will stand dismissed only by default.

**(PIUS C.KURIAKOSE, JUDGE)**

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